

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION

DAVID LYNCH, #81587

PETITIONER

VERSUS

CIVIL ACTION NO. 4:09cv77-TSL-LRA

MISSISSIPPI DEPARTMENT OF CORRECTIONS

RESPONDENT

O R D E R

This matter is before the court on petitioner's request for habeas corpus relief pursuant to 28 U.S.C. § 2254. The court notes that the petitioner has failed to name the proper respondent in this action. The proper respondent is the official having custody over him, *i.e.*, the Warden or Superintendent of the Central Mississippi Correctional Facility, Pearl, Mississippi, pursuant to 28 U.S.C. § 2242. Therefore, the petitioner will be directed to file a written response and provide the court with the required information. Accordingly, it is, hereby,

ORDERED AND ADJUDGED that petitioner shall file a written response on or before June 30, 2009, to name his custodian, *i.e.*, the Warden or Superintendent of the Central Mississippi Correctional Facility, Pearl, Mississippi, as the proper respondent in this action.

IT IS FURTHER ORDERED that the Petitioner is directed to mail his written response to the Clerk, P.O. Box 23552, Jackson, MS 39225-3552.

The Petitioner is warned that his failure to fully comply with any order of this court may result in this cause being summarily dismissed.

THIS, the 15th day of June, 2009.

s/ Linda R. Anderson
UNITED STATES MAGISTRATE JUDGE